## BALL JANIK LLP

**ORIGINAL** 

ATTORNEYS

Louis E. Gitomer Of Counsel (202) 466-6532 1455 F STREET, NW, SUITE 225 WASHINGTON, D.C. 20005 www.balljanik.com

TELEPHONE 202-638-3307 FACSIMILE 202-783-6947

August 3, 2004

Honorable Vernon A. Williams Secretary Surface Transportation Board 1925 K Street, N.W. Room 700 Washington, D. C. 20423 ENTERED
Office of Proceedings

AUG - 3 2004

Part of
Public Record

lgitomer@dc.bjllp.com



211724

RE: Docket No. AB-55 (Sub-No. 603X), CSX Transportation, Inc.—Abandonment Exemption—in Webster County, WV

Dear Secretary Williams:

The Webster County Chamber of Commerce (Webster County) requested a notice of interim trail use/rail banking for approximately 10.5 miles of railroad between milepost BUG-0.0 at Cowen and milepost BUG 10.5 at Bolair, in Webster County, WV in the above-entitled proceeding. The current extension of the negotiating period expired on July 23, 2004. Even though the previous extension has expired, CSX Transportation, Inc. ("CSXT") has not consummated the abandonment, has been unable to finalize negotiations with Webster County, and desires to continue to negotiate for interim trail use/rail banking with Webster County, CSXT respectfully requests the Board to reinstate and grant a six month extension of time to January 23, 2005 to negotiate trail use with Webster County. Additionally, CSXT respectfully requests a six month extension of the date to consummate the abandonment from September 23, 2004 to March 23, 2005.

Enclosed are the original and 10 copies of this letter, and a filing fee of \$300. Please time and date stamp the additional copy of this letter and return it with our messenger. Thank you for your assistance. If you have any questions please call or email me.

FEE RECEIVED

AUG - 3 2004

SURFACE

SURFACE

SURFACE

SURFACE

Sincerely yours

Logis E. Gitomer

Attorney for: CSX Transportation, Inc.

cc: Mr. Hughes

FILED

AUG - 3 2004

SURFACE TRANSPORTATION BOARD